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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, MINH DIEU T

ART UNIT

PAPER NUMBER

2137

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,361

Applicant(s)

JASON ET AL.

Examiner

Minh Dieu Nguyen

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: .

DETAILED ACTION

1. Claims 1-19 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakata et al, US Patent 5,854,841.

a) As to claims 1, 5 and 16, Nakata discloses a communication system which can transmit and receive compressed/encrypted data using a socket interface. The system comprises a client and server (Figure 2, elements 1000 and 2000), connected via a communication medium (Figure 2, element 10) with socket interface program (Figure 2, element 1300, 2300), which reads on a local application and a remote application, the local application utilizing a socket.

The method of transmitting and receiving compressed/encrypted data comprises:

- monitoring a completion status of the communication (col. 5, line 39 – col. 6, line 44)

- upon completion of the communication, closing the socket (Figure 2, elements 1118 and 2118)
 - in response to closing of the socket, terminate a correlation of the security association (Figure 1, elements 1200 and 2200) with the socket (Figure 2, elements 1318 and 2318).
4. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Engel et al., US Patent 6,519,636.

Engel discloses a system and method for classifying, manipulating, and/or controlling communications, e.g., packets transmitted over a network. Each application is connected to the network through one or more sockets to enable this communication. A socket set of one or more of the sockets is associated with only one of the rule. The rules in the rule set are used to control one or more of the packets communicated by the applications communicating over the socket(s) associated with the respective rule set. Figure 3 represents a data structure showing rule sets associated with socket sets. Engel also clearly defines a rule set which reads on security association in col. 7, lines 1-13, lines 42-51, line 65-67; col. 8, lines 1-3, lines 19-67; col.9, lines 1-10, 44-61.

a) As to claims 2, 7, 11, 14 and 17, Engel discloses deleting the security association in response to closing of the socket (col. 11, 25-26).

b) As to claims 3, 8, 12, 15 and 18, Engel discloses the step of determining whether any other socket is correlated with the security association, and when it is determined that no other socket is correlated with the security association, deleting the security association (col. 14, lines 29-41).

c) As to claim 4, 9 and 19, Engel discloses the step of notifying the driver that the security association is no longer needed to cause the driver to terminate the correlation (Figure 3, col. 11, lines 15-27, Figure 5C).

d) As to claim 6, Engel discloses the step of determining whether there is an active security association that would cover traffic for the socket, if there is an active security association that would cover traffic for the socket, then correlating the socket with the active security association (col. 10, lines 17-25); if there is not an active security association that would cover traffic for the socket, then determining a security association for traffic for the socket, giving the determined security association to a network security driver, receiving a handle for the security association from the network security driver and correlating the socket with the security association of the handle (col. 10, lines 30-32; Figure 4 and 5).

e) As to claims 10 and 13, Engel discloses a networking system comprising a plurality of computers that are connected to one or more networks, one computer would be the source originating the transmission of information and one or more of the computers would be the destination computer that would receive the information (Figure 1). Engel also discloses a system and method to control encryption, authentication and message integrity of packets sent to and received from the network based on an efficient lookup/association of the security features and the packets. The system comprises:

- transmitting data to clients using a variety of transport protocols, e.g., Transmission Control Protocol (col. 6, lines 65-67)

- a security classifier for coupling said transmission control protocol to the network and the security classifier determining a security classification for the client application (Figure 3 and col. 8, lines 20-26)
- a security association negotiator responsive to the client application opening a socket at a node of the communication network, for correlating the socket with a security association based on the determined security classification (col. 7, lines 42-51; col. 10, lines 22-25)
- a network interceptor coupling the client application with the transmission control protocol and responsive to the socket being closed for terminating the correlation of the socket with the security association (col. 11, lines 25-26; lines 65-67; col. 12, lines 1-9).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

a) Method and Arrangement for Implementing IPSec Policy Management Using Filter Code, Nikander et al., US Patent 6,253,321.

b) Security Rule Database Searching in a Network Security Environment, Attwood et al., US Patent 6,347,376.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 703-305-9727. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on 703-308-4789.

The fax phone numbers for the organization where this application or proceeding is assigned are:

703-746-7238	for After-Final communications
703-872-9306	for Official communications
703-746-5661	for Non-Official/Draft communications

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Minh Dieu Nguyen
Examiner
Art Unit 2132

mdn

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12/22/03